REMARKS

This amendment is in response to the Official Action dated May 5, 2005. Claim 15 has been amended. Claims 1, 2, 4-8, 12, 14 and 15 remain in the application with Claims 1 and 15 being the only independent claims. Favorable reconsideration, in view of the accompanying remarks, is respectfully requested.

In paragraph 2 of the Official Action, the Examiner has rejected Claims 1, 2, 4-8, 12, 14 and 15 under the provisions of 35 U.S.C. 102(b) as being anticipated by Wahnschaffe et al. (EP 0523338A2 – an English translation of which provided by the Examiner). These rejections are respectfully traversed for the following reasons.

Claim 1 defines the invention as a disc brake comprising: a caliper; two brake shoes, which are pressable against both sides of a brake disc and which in relation to a peripheral force generated upon application of the brake shoes against the brake disc are supported against a vehicle-fixed carrier, wherein the peripheral force in dependence upon a direction of rotation of the brake disc acts in one of two opposite peripheral force directions; at least one device for at least one of measuring and converting the peripheral force, the device being disposed in a force transmission chain between at least one of the brake shoes and the carrier; and at least one force transmission member, which is disposed between at least one of the brake shoes and the device for at least one of measuring and converting the peripheral force and which is movable under guidance in a plane parallel to the brake disc, wherein the at least one force transmission member is disposed at one side relative to the caliper in order to take up and transmit the generated peripheral force in only one of the two peripheral force directions. None of the cited references, alone or in combination, discloses such a disc brake structure as recited in Claim 1.

Firstly, Claim 1 recites "at least one device for at least one of measuring and converting the peripheral force, the device being disposed in a force transmission chain *between at least one of the brake shoes and the carrier*". (Emphasis added) In Fig. 4 of Wahnschaffe et al., the sensors 10a and 10b are "located in the area of the attachment points of the disk brake on the wheel side, that is, in the area of the threaded bolts 22. (See English translation of Wahnschaffe et al. page 18, first

paragraph). Thus, Wahnschaffe et al. does not disclose or suggest that the measuring and/or converting device is "disposed in a force transmission chain *between at least one of the brake shoes and the carrier*, as recited in Claim 1. (Emphasis added).

Secondly, Claim 1 recites "at least one force transmission member, which is *disposed between at least one of the brake shoes and the device* for at least one of measuring and converting the peripheral force *and which is movable under guidance in a plane parallel to the brake disc*". (Emphasis added). The Examiner argues that the support arms 18 of the brake holder 17 in Fig. 4 of Wahnschaffe et al. are the "at least one force transmission member". However, the support arms 18 are not located between the brake pad 20 and one of the sensors 10a and 10b. Thus, Wahnschaffe et al. does not disclose or suggest "at least one force transmission member, which is *disposed between at least one of the brake shoes and the device*", as recited in Claim 1. (Emphasis added). Additionally, the support arms 18 in Wahnschaffe et al. are clearly not "*movable under guidance in a plane parallel to the brake disc*", as recited in Claim 1. (Emphasis added).

Thirdly, Claim 1 recites "wherein the at least one force transmission member is disposed *at one side relative to the caliper* in order to take up and transmit the generated peripheral force *in only one of the two peripheral force directions*". (Emphasis added). The brake device in Wahnschaffe et al. is designed to sense and compare the *relative* braking forces exerted in *both opposite peripheral directions* when the vehicle is stationary on a slope. In particular, by *comparing* the forces exerted in opposite peripheral directions, it is possible to deduce when the vehicle would have a tendency to roll backwards. In such a state, the braking device in Wahnschaffe et al. is adapted to release the brake only when the engine imparts sufficient torque to the wheels to overcome any tendency of the vehicle to roll backwards. (See English translation of Wahnschaffe et al. - whole of page 2 and last two paragraphs of page 6). Thus, Wahnschaffe et al. clearly does not disclose or suggest "at least one force transmission member . . . to take up and transmit the generated peripheral force *in only one of the two peripheral force directions*", as

recited in Claim 1. (Emphasis added). Accordingly, it is believed that Claim 1, along with dependent Claims 2, 4-8, 12 and 14, are patentable over the cited references.

Independent Claim 15 is directed to a vehicle brake system and includes the subject matter of Claim. Thus, for those reasons discussed above with respect to Claim 1, it is believed that Claim 15 is patentable over the cited references.

In paragraph 3 of the Official Action, the Examiner notes that the new ground(s) of rejection is due to the availability of the translation of EP 0523338 A2, a copy of which enclosed for Applicant's record, and regretfully withdraws the indication of allowable subject matters and apologizes for any inconveniences this might have caused.

In view of the above amendments and accompanying remarks, it is believed that the application is in condition for allowance. However, if the Examiner does not believe that the above remarks and amendments place the application in condition for allowance, or if the Examiner has any comments or suggestions, it is requested that the Examiner contact Applicants' attorney at (419) 255-5900 to discuss the application prior to the issuance of an action in this case by the Examiner.